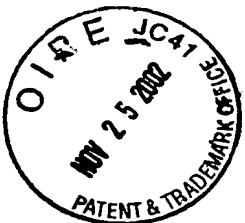


2613



SONNENSCHN, NATH & ROSENTHA

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Chicago, IL 60606-1080  
312/876-8000

APPLICANT(S): Eiji IWATA ATTORNEY DOCKET NO.: 09792909-4938  
SERIAL NO.: 09/352,422 GROUP ART UNIT: 2613  
DATE FILED: July 12, 1999 EXAMINER: T. T. VO  
INVENTION: "ENCODING APPARATUS AND METHOD OF SAME AND DECODING APPARATUS AND METHOD OF SAME"

RESPONSE "E" TO NON-FINAL OFFICE ACTION

BOX Non-Fee Amendment  
Commissioner of Patents  
Washington, D.C. 20231

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SIR:

Transmitted herewith is a two page response in the above-identified application.

☒ No additional claim fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED							
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE	
TOTAL CLAIMS	19	MINUS	20	0	( ) \$ 9.00 ( ) \$18.00	\$0.00	
INDEP. CLAIMS	4	MINUS	4	0	( ) \$42.00 ( ) \$84.00	\$0.00	
Application amended to contain any multiple dependent claims not previously paid for.				( ) YES (x) NO	( ) \$140.00 ( ) \$280.00 ONE TIME	\$0.00	
			TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$0.00		

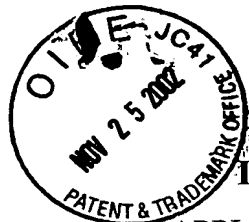
\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

- ☒ This is a general authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.
- ☐ Applicant petitions the Commissioner of Patents and Trademarks under 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application to the Office Action dated \_\_\_\_\_ for \_\_\_\_\_ month(s) so that the period for response is extended to \_\_\_\_\_. A check in the amount of \$0.00 is enclosed to cover the fee.
- ☐ A check in the amount of \$0.00 is attached to cover the additional claim fee.
- ☐ A check for \$ \_\_\_\_\_ accompanying attached Terminal Disclaimer under 37 C.F.R. §1.120(d).
- ☐ A check for \$ \_\_\_\_\_ for Amendment Under 37 C.F.R. 1.312(b) is attached.
- ☒ The Commissioner is hereby authorized to charge the extension fee and any additional fees which may be required, or to credit any overpayment to account No. 19-3140. A duplicate of this sheet is enclosed.
- When phoning re this application, please call 312/876-8000 - Ext. 12578.

SONNENSCHN NATH & ROSENTHAL  
BY David R. Metzger (Reg. No. 32,919)  
David R. Metzger  
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope having sufficient postage and addressed to BOX Non-Fee Amendment, Commissioner of Patents, Washington, D.C. 20231 on November 20, 2002.

[Signature]  
SIGNATURE  
November 20, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Eiji IWATA ATTORNEY DOCKET NO.: 09792909-4938

SERIAL NO.: 09/352,422 GROUP ART UNIT: 2613

DATE FILED: July 12, 1999 EXAMINER: T. T. VO

INVENTION: "ENCODING APPARATUS AND METHOD OF SAME AND  
DECODING APPARATUS AND METHOD OF SAME"

#24

Rose

11-22-02

RESPONSE "E" TO NON-FINAL OFFICE ACTION

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BOX Non Fee Amendment  
Commissioner for Patents  
Washington, DC 20231

SIR:

This amendment is filed in response to the Office Action of October 1, 2002. Please reconsider the application in view of the amendments and remarks presented below.

REMARKS

Claims 1 - 19 are pending and under consideration.

In the Office Action of October 1, 2002, claims 1 - 19 were rejected. The Examiner alleged that the claims are unpatentable over Watanabe et al.<sup>1</sup> in view of Allen et al.<sup>2</sup> under §103(a)<sup>3</sup>.

Applicants thank the Examiner for the courtesy extended during an interview with Applicants' attorneys on November 12, 2002. Applicants note that an agreement was reached during the interview that Watanabe et al. does not disclose the feature of awaiting the end of variable length coding/decoding of a data block when the variable length coding/decoding of a previous data block has not yet ended.

Applicants note that this limitation of awaiting the end of variable length coding/decoding of a data block when the variable length coding/decoding of a previous data block has not yet ended is recited in each of independent claims 1, 7, 10 and 17. This feature of the present invention is not taught by Watanabe et al. at Col. 7, lines 29 - 67 as alleged by the Examiner or anywhere else in that patent.

Further, this feature is nowhere taught or fairly suggested by Allen et al., or the combination of Allen et al. and Watanabe et al.

Accordingly, this limitation distinguishes the independent claims over the cited prior art.

<sup>1</sup> U.S. Pat. No. 5,675,331.

<sup>2</sup> U.S. Pat. No. 5,583,500.

<sup>3</sup> 35 U.S.C. §103(a).